

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DESIREE HOLLIS,)	
)	Case No. 21 C 1956
Plaintiff,)	
)	Judge: Hon. Thomas Durkin
v.)	
)	Mag. Judge: Hon. Jeffrey Cole
THE CITY OF CHICAGO and CHICAGO)	
POLICE OFFICER ROY BOFFO,)	
(#UNKNOWN),)	
)	
Defendants.)	

**DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER
OR OTHERWISE PLEAD**

Defendant City of Chicago, by and through its attorney, Emily R. Bammel, Assistant Corporation Counsel, respectfully requests, pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), that this Court extend the time for all defendants to answer or otherwise plead to Plaintiff’s Second Amended Complaint through and including twenty-one (21) days from the date Defendant Roy Boffo is served.¹ In support of this motion, the Defendants state as follows:

1. On May 21, 2021, Plaintiff filed her First Amended Complaint against the City of Chicago and a Chicago Police Department Officer Ioan Boeriu, after determining the individual defendant named in her initial Complaint [ECF Dkt. #1] was an unknown officer. *See* ECF Dkt. #10.
2. On July 22, 2021, Defendants² filed their Answer to Plaintiff’s First Amended Complaint. ECF Dkt. #19.

¹ *See* Federal Rule of Civil Procedure 12(a).

² At the time of filing, Defendants included the City of Chicago and Officer Ioan Boeriu. *See* ECF Dkt. No. 19.

3. On August 9, 2021, the Court entered the following discovery order: “Parties to exchange Rule 26(a) disclosures by 8/20/2021. Parties are to issue written discovery by 10/03/2021. Liability discovery is to conclude by 3/19/2022.” *See* ECF Dkt. #26.
4. The parties complied with each disclosing their Rule 26(a) disclosures timely, and subsequently the Defendants issued written discovery to Plaintiff on August 30, 2021.
5. On September 2, 2021, Plaintiff contacted the undersigned counsel for Defendants with their intention to file for leave to amend her Complaint again; wherefore, Plaintiff filed her Second Amended Complaint on September 12, 2021, naming as Defendants, the City of Chicago and Roy Boffo. *See* ECF Dkt. #29.
6. Defendant City of Chicago’s answer or responsive pleading to the Second Amended Complaint is currently due by September 27, 2021. The undersigned counsel for Defendant City anticipates representing Defendant Boffo upon completion of service. On September 15, 2021, the undersigned counsel for Defendant City was informed that Defendant Boffo had not yet been served. As of this filing, there has not been a change in information or confirmation that Defendant Boffo has been served, and remains outstanding.
7. An extension through and including twenty-one (21) days from the date of Defendant Boffo’s service should be sufficient time to provide a responsive pleading to Plaintiff’s Second Amended Complaint, and would not prejudice Plaintiff. *See* Fed. R. Civ. P.12(a).
8. On September 22, 2021 the undersigned counsel contacted Plaintiff’s counsel via email correspondence regarding the contents of this motion, which they responded they had no objection.

WHEREFORE, the Defendant asks that this Court grant all Defendants an extension of time to answer or otherwise plead to Plaintiff's second amended complaint through and including twenty-one days from when Defendant Boffo is served, and grant any other relief this Court deems appropriate and just.

Respectfully submitted,

By: /s/ Emily R. Bammel
Emily R. Bammel
Assistant Corporation Counsel

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Counsel for Defendants

CERTIFICATE OF SERVICE

I, Emily R. Bammel, an attorney, hereby certify that I served the above **DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD** by causing it to be delivered by the Court's CM/ECF system, which will send notification of such filing and a file stamped copy to all counsel of record, this 23rd day of September 2021. This motion is not noticed for presentment pursuant to the United States District Court for the Northern District of Illinois Ninth Amended General Order 20-0012 and this Court's standing orders.

/s/ Emily R. Bammel

EMILY R. BAMMEL

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